



Contingent Notice of Appeal
U.S. Appln. No. 09/845,382

PATENT
450100-03199

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masakazu Hayashi, et al.
Serial No. : 09/845,382
For : METHOD AND APPARATUS FOR DISPLAYING INFORMATION AND PROGRAM AND MEDIUM USED THEREFOR
Filed : April 30, 2001
Examiner : Kimnhung T. Nguyen
Art Unit : 2629
Confirmation No. : 2746

745 Fifth Avenue
New York, NY 10151

FIRST CLASS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 9, 2007.

Barnet Shindelman

Name of Applicant, Assignee or Registered Representative

Signature

February 9, 2007

Date of Signature

PETITION UNDER 37 CFR 1.183 AND CONTINGENT NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to Applicants' Supplemental Response filed on January 16, 2007,

Applicants hereby petition the Director to accept this Contingent Notice of Appeal (without fee) in the above-identified application to prevent the application from becoming abandoned.

Applicants' Attorney, Thomas Presson, spoke with Examiner Kimnhung Nguyen on

Contingent Notice of Appeal
U.S. Appln. No. 09/845,382

PATENT
450100-03199

February 9, 2007 to determine whether the Supplemental Amendment filed on January 16, 2007 placed the application in condition for allowance. The Supplemental Amendment was in response to a telephonic interview between Examiner Nguyen and Thomas Presson on October 30, 2006, in which the Examiner indicated that cancellation of claim 38 and amending the preamble to recite a computer-readable medium would place the application in condition for allowance.

Examiner Nguyen assured Applicants' Attorney that although the above-identified application was not on her docket that the application would not become abandoned even though the six month date for response expires on February 9, 2007. In the event that the Examiner is not correct, Applicants submit this Contingent Notice of Appeal and Petition under 37 CFR 1.183 to prevent the application from becoming abandoned.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:



Thomas F. Presson
Reg. No. 41,442
(212) 588-0800